

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DAVID H. DEAN,)	
Plaintiff,)	CA No. 04-12605-mel
v.)	
LOWE'S HOME CENTERS, INC.,)	
Defendant.)	

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1

Pursuant to Rule 16.1(D) of the Local Rules of the United States District Court for the District of Massachusetts, plaintiff David H. Dean (“Dean”) and defendant Lowe’s Home Centers, Inc. (“Lowe’s”) submit the following joint statement:

I. Dean and Lowe’s propose the following schedule for this litigation:

January 20, 2005	Exchange of Automatic Discovery
May 15, 2005	Deadline to Amend Pleadings and Add Parties
May 15, 2005	Rule 26(a)(2)(b) Expert Disclosure by Dean, if any
May 15, 2005	All written discovery served
June 15, 2005	Rule 26(a)(2)(b) Expert Disclosure by Lowe’s, if any
July 15, 2005	All expert and non-expert discovery completed (including depositions and written discovery)
August 15, 2005	Dispositive Motions filed
October 2005	Pretrial Conference (or after dispositive motions are ruled on by the Court)

II. Other Matters Pursuant to Rule 16.1:

- a. Lowe's does not consent to a trial by Magistrate Judge at this time.
- b. The parties do not request alternative dispute resolution at this time.
- c. Counsel for the parties have discussed settlement and Dean's counsel has presented a written settlement proposal to Lowe's. Counsel for Lowe's will confer with Lowe's regarding the proposal it has received from Dean's counsel.
- d. The parties do not anticipate that they will exceed five depositions.
- e. Certifications under Local Rule 16(d)(3) will be filed with the Court with copies being sent to the parties.

Respectfully Submitted,

DAVID H. DEAN

By his attorney.

Daniel C. Foderico
Daniel C. Foderico, Esq. (BBO # 645717)
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Dated: January 20, 2005

LOWE'S HOME CENTERS, INC.

By its attorneys,

David C. Casey (AN by permission)
David C. Casey (BBO # 77260)
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon counsel for the plaintiff by mail on this 20th day of January 2005.

Andy L. Nash

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